

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

BROADCAST MUSIC, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:19-cv-38 (AJT/TCB)
)	
GT LEESBURG 2014, LLC d/b/a THE)	
GREEN TURTLE, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter is before the Court on the Report and Recommendation [Doc. 27] of the Magistrate Judge recommending that Plaintiffs' Motion for Default Judgment [Doc. 21] be granted, a default judgment be entered in favor of Plaintiffs, and the Court grant the following relief to Plaintiffs:

- Plaintiffs be awarded statutory damages in the amount of \$20,000, which represents an award of \$5,000 for each of the four (4) acts of infringement, pursuant to 17 U.S.C. § 504(c);
- Plaintiffs be awarded attorney's fees and costs in the amount of 3,630.00, pursuant to 17 U.S.C. § 505;
- Plaintiffs be awarded post-judgment interest on their awards in accordance with 28 U.S.C. § 1961;
- Defendants GT Leesburg 2014, LLC and David "Brent" Byer be jointly and severally liable for the damages and fees awarded;

- Defendants GT Leesburg 2014, LLC and David “Brent” Byer, their agents, servants, employees, and all persons acting under their permission and authority, be enjoined and restrained from infringing, in any manner, the copyrighted musical compositions licensed by BMI, pursuant to 17 U.S.C. § 502; and
- Defendant Darlene Byer be dismissed from this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

The Magistrate Judge advised the parties that objections to the Proposed Findings of Fact and Recommendations must be filed within fourteen days of service and that failure to object waives appellate review. No objections have been filed. Having conducted a *de novo* review of the record, the Court adopts and incorporates the findings and recommendations of the Magistrate Judge. Accordingly, it is hereby

ORDERED that the Report and Recommendation [Doc. 27] be, and the same hereby is, ADOPTED; and it is further

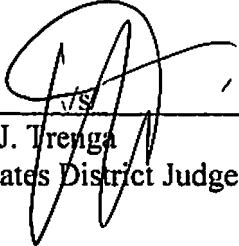
ORDERED that Plaintiffs’ Motion for Default Judgment [Doc. 21] be, and the same hereby is, GRANTED; and it is further

ORDERED that JUDGMENT be entered in favor of Plaintiffs and against Defendants GT Leesburg 2014, LLC and David “Brent” Byer jointly and severally in the amount of \$20,000 and \$3,630 in attorneys’ fees and costs, with post-judgment interest on their awards in accordance with 28 U.S.C. § 1961; and it is further

ORDERED that Defendants GT Leesburg 2014, LLC and David “Brent” Byer, their agents, servants, employees, and all persons acting under their permission and authority, be, and the same hereby are, ENJOINED and RESTRAINED from infringing, in any manner, the copyrighted musical compositions licensed by BMI, pursuant to 17 U.S.C. § 502; and it is further

ORDERED that Defendant Darlene Byer be, and the same hereby is, dismissed from this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

The Clerk is directed to forward copies of this Order to all counsel of record.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
August 27, 2019